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ATTORNEY FOR PLAINTIFF
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA, Plaintiff, vs. MANUEL PAZ SANCHEZ, JR. <i>aka Manuel Sanchez Paz, Jr.,</i> Defendant.	CR 18-03-BLG-SPW OFFER OF PROOF
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The United States, represented by Assistant U.S. Attorney John D. Sullivan, files the following offer of proof in anticipation of the change of plea hearing set in this case on February 8, 2018.

THE CHARGE

The defendant, Manuel Paz Sanchez, Jr., *aka Manuel Sanchez Paz, Jr.*, is charged by indictment with possession with intent to distribute methamphetamine, in violation of 21 U.S.C. § 841(a)(1).

PLEA AGREEMENT

There is no plea agreement in this case. The defendant has indicated that he will plead guilty to the indictment without the benefit of a plea agreement. In the government's view, this is the most favorable resolution for the defendant. *See Missouri v. Frye*, 566 U.S. 133 (2012).

ELEMENTS OF THE CHARGE

In order for the defendant to be found guilty of possession with intent to distribute methamphetamine, in violation of 21 U.S.C. § 841(a)(1), the United States must prove each of the following elements beyond a reasonable doubt:

First, the defendant knowingly possessed a substance containing a detectable amount of methamphetamine;

Second, the defendant possessed it with the intent to distribute it to another person.

In addition, while not a formal element of the offense, the United States must prove that the defendant possessed more than 500 grams of a substance containing a detectable amount of methamphetamine.

It does not matter whether the defendant knew that the substance was methamphetamine. It is sufficient that the defendant knew that it was some kind of prohibited drug.

To “possess with intent to distribute” means to possess with intent to deliver or transfer possession of methamphetamine to another person, with or without any financial interest in the transaction.

PENALTIES

The charge in the indictment carries a mandatory minimum 10 years to life imprisonment, a \$10,000,000 fine, at least five years of supervised release, and a \$100 special assessment.

ANTICIPATED EVIDENCE

If this case were tried in United States District Court, the United States would prove the following:

On December 12, 2017, a Montana Highway Patrol Trooper stopped a Ford sedan driven by the defendant, Manuel Paz Sanchez, Jr., near Columbus, Montana on Interstate 90. Sanchez was the only occupant of the vehicle, which he rented in Sacramento, California three days earlier. He told the trooper that he was driving to Bismarck, North Dakota from a location in Idaho where he had been visiting family. From Bismarck, he planned to fly back to California. The trooper was suspicious of Sanchez’s story, so he asked for Sanchez’s permission to search the vehicle. After Sanchez consented to the search, officers performed a search of the vehicle.

In the cab, they found a tire repair kit, which they thought was unusual for a rental vehicle. As a result, they removed the spare tire from the trunk to examine

it. The spare tire appeared to be deflated, so the officers took it to a tire repair shop in Columbus where the tire was removed from the rim. Concealed inside the tire were six packages containing suspected methamphetamine in vacuum-sealed plastic. Agents with the Drug Enforcement Administration later conducted a field test on the substances removed from the tire. They tested presumptive positive for methamphetamine. The gross weight of the packages was approximately 8.3 pounds.

DATED this 5th day of February, 2018.

KURT G. ALME
United States Attorney

/s/ John D. Sullivan
JOHN D. SULLIVAN
Assistant U.S. Attorney